

Fair Political Practices Commission Memorandum

To: Chairman Johnson, Commissioners Hodson, Huguenin, Leidigh, and Remy
From: Whitney Barazoto, Legislative and Communications Coordinator
Subject: Legislative Report
Date: March 23, 2007

Bills are currently being assigned to or heard by their first policy committees. SB 298 (Cogdill), our Commission-sponsored bill to increase the major donor threshold, passed its first policy committee, the Senate Elections Committee, on March 21, 2007.

Bills Amending the Political Reform Act		
Bill # (Author)	Title	Date Introduced/Amended

AB 65 (Dymally) PRA: legislative caucuses I-12/04/06

This bill would specify that a member of the Senate or Assembly may make payments of up to \$5,000 to each recognized Senate, Assembly, or Senate and Assembly caucus as expenditures associated with holding office. These expenditures would have to be reported to the Chief Clerk of the Assembly, the Secretary of the Senate, or both by the following January 15. The bill would also prohibit a person from making, and a Senator or Assembly Member from receiving, a contribution of campaign funds intended for a caucus.

Status: Introduced in Assembly

AB 78 (Torrico) PRA: interest on campaign accounts A-03-14-07

This bill would require all committees regulated under the Political Reform Act to establish campaign accounts, report certain information on those accounts, and transfer the interest earned on the accounts of candidate-controlled committees to the State Treasury. The funds collected by the State Treasury on these accounts would be continuously appropriated to the commission for carrying out of its duties under the Act. This appropriation would be in addition to those appropriations already provided in the Act. The interest from accounts that relate to ballot measure campaigns would go into a sub-account to be spent solely for regulating ballot measure campaigns. The bill was recently amended to allow committees to pay an opt-out fee of \$5,000 to the Commission in lieu of calculating and transferring the interest to the State Treasury.

Status: Assembly Elections Committee

AB 299 (Tran) Maintenance of the Codes I-02-09-07

This bill makes technical changes to multiple code sections at the recommendation of Legislative Counsel. The sections of the Political Reform Act that are amended by this bill include Government code sections 85316 and 89513. The changes are minor and technical.

Status: Assembly Judiciary Committee

AB 357 (Mendoza) PRA: legal funds I-02-14-07

This bill would allow legal defense funds that are not subject to contribution limits to be used to pay attorney's fees and costs related to election recounts and election contests. It also specifies that these expenses would be included in the list of expenditures that are exempt from voluntary expenditure limits.

Status: Assembly Elections Committee

AB 404 (Ruskin) PRA: advertisement disclosure I-02-15-07

This bill would require that advertisements paid for by independent expenditures expressly state that the ad was not authorized by a candidate or a committee controlled by a candidate.

Status: Assembly Elections Committee

AB 473 (Adams) PRA: filing campaign statements I-02-20-07

This Commission-sponsored bill would eliminate the requirement to file copies of campaign statements with a committee's county of domicile and reduce the requirement to file two copies of reports with local filing officers to one copy.

Status: Assembly Elections Committee

Position: Sponsor

AB 517 (Horton) PRA: restrictions on contributions I-02-21-07

This bill would prohibit contributions to candidates for elective state office during the following time periods: 1) 30 days prior to September 1 of an even-numbered year, 2) 30 days prior to the date that the Legislature adjourns for an interim recess in an odd-numbered year, and 3) the entire time that the Legislature is convened for a special session during interim recess occurring between the first and second year of a two-year session.

Status: Assembly Elections Committee

AB 583 (Hancock) PRA: Clean Money Act I-02-21-07

This bill would enact the California Clean Money and Fair Elections Act of 2006, which would authorize eligible candidates to obtain public funds, according to specified procedures and requirements, to campaign for elective office. Under the bill, the Commission would be responsible for the administration of the Clean Money Act. It would also create the Clean Money Fund to provide funds for the Act and would transfer \$0.01 per day, per California resident 18 years of age or older, from the General Fund to the Clean Money Fund beginning on July 1, 2008 to fund the public financing provisions. Funding for the administrative and enforcement costs of the Act would be subject to appropriation by the Legislature. The provisions would be submitted to the voters for approval at the June 3, 2008, statewide primary election.

Status: Introduced in Assembly

AB 773 (Blakeslee) PRA: contribution limits I-02-22-07

This bill makes technical changes to the contribution limit provisions of the Political Reform Act. It appears to be a "spot" bill.¹

Status: Introduced in Assembly

¹ A "spot" bill is a placeholder measure introduced in anticipation of substantive language that may later be amended into the bill.

AB 1361 (Karnette) PRA: civil actions I-02-23-07

This Commission-sponsored bill would limit the number of 120-day demands that may be filed by an individual or group to 10 per year and specify that a civil action by the individual or group is prohibited if the Commission issues an administrative order or publishes a declaration of no violation. It would require that the individual or group notify the respondent when a demand is made. The bill would also require that a court consider Commission rules and regulations in determining a judgment amount in cases brought under the civil action provisions.

Status: Introduced in Assembly

Position: Sponsor

AB 1369 (Adams) PRA: electronic filing of campaign statements I-02-23-07

This bill would require all candidates and committees who file campaign statements under the Political Reform Act in connection with a local government elective office or a local ballot measure to file their campaign statements online or electronically with the Secretary of State.

Status: Introduced in Assembly

AB 1430 (Garrick) PRA: contribution limits I-02-23-07

This bill would provide that polling costs would be considered “payments made by a political party for communications” to its members, and therefore would need to be reported as contributions or expenditures in accordance with committee reporting requirements. This bill also restricts local jurisdictions from imposing additional restrictions or limitations on member communications if they are not found in the member communications statute.

Status: Introduced in Assembly

AB 1441 (Garrick) PRA: legal defense funds I-02-23-07

This bill extends to local candidates the ability to open legal defense accounts that is currently allowed for elective state office candidates. The bill provides that contributions to local candidate legal defense accounts may be subject to limits imposed by local ordinance, but the candidate must follow the reporting requirements that currently exist for state candidates.

Status: Introduced in Assembly

AB 1678 (De La Torre) PRA: civil service classification I-02-23-07

This bill corrects an obsolete cross-reference of a Government Code section in our Government Code section 83109, relating to civil service classification.

Status: Introduced in Assembly

SB 131 (Battin) PRA: conflicts of interest I-01-24-07

This bill makes technical changes to a section of the conflicts-of-interest provisions of the Political Reform Act. It appears to be a “spot” bill.

Status: Senate Rules Committee

SB 217 (Cogdill) PRA: conflict-of-interest code I-02-09-07

This bill designates the county board of education instead of the county board of supervisors as the code reviewing body for a school district in a multi-district county, a county office of education, a regional occupation center or program, or a school-related joint powers authority

located wholly within a single county. The Superintendent of Public Instruction would be the code reviewing body for a county board of education, a county office of education of a county with only a single school district, or a school district of a county with only a single school district. This bill also designates the California Community College Board of Governors as the code reviewing body for all community college districts.

Status: Senate Elections Committee

SB 298 (Cogdill) PRA: major donor reporting I-02-15-07

This Commission-sponsored bill would increase the major donor reporting threshold, from \$10,000 to \$30,000. It would also increase the threshold for major donor notification from \$5,000 to \$15,000.

Status: Passed Senate Elections Committee

Position: Sponsor

SB 381 (Calderon) PRA: co-sponsored event payments I-02-21-07

This bill raises the reporting threshold for payments made at the behest of a candidate for a political, legislative, or governmental purpose that is unrelated to the candidate's candidacy for elective office. (These payments are neither gifts nor contributions to the candidate under the Political Reform Act; rather, they are typically contributions to non-profit groups who involved the candidate in the event or fundraising effort.) This bill would raise the reporting threshold for these payments from \$5,000 to \$7,000 and extend the reporting deadline from 30 days to 90 days after the payment was made. The bill also exempts candidates from this reporting requirement when the candidate's name is merely mentioned in a press release, when the candidate conducts an interview or public service announcement, or when the candidate's name is listed among multiple names in the same print on a communication.

Status: Senate Elections Committee

SB 497 (Ackerman) PRA: electronic filing of SEI's I-02-22-07

This bill would allow a local filing officer the ability to offer or require electronic filing of Statements of Economic Interests (Form 700's).

Status: Senate Elections Committee

SB 512 (Sen. Elect. Com.) PRA: omnibus committee bill I-02-22-07

This Commission-sponsored bill would do the following: 1) amend the definition of "investment" to exclude defined-benefit pension plans, 2) require candidates seeking election to designated positions to file a Statement of Economic Interest since the incumbent is already required to file one, and 3) make other minor technical amendments.

Status: Senate Elections Committee

Position: Sponsor

SB 536 (Simitian) PRA: Insurance Commissioner campaigns I-02-22-07

This bill would enact the Insurance Commissioner Election Accountability Act of 2006, which would authorize eligible Insurance Commissioner candidates to obtain public financing from a fund made up of fees collected from insurers, reimbursements, and interest, provided that certain thresholds of public support are shown. The bill would impose responsibility for its administration on the Fair Political Practices Commission, and it provides specified penalties for

violations of its provisions. The provisions of this bill that amend the Political Reform Act would be submitted to the voters for approval at the June 3, 2008, statewide primary election.

Status: Senate Banking, Finance, and Insurance Committee

SB 662 (Wiggins) PRA: conflict-of-interest codes I-02-23-07

This bill designates the county board of education instead of the county board of supervisors as the code reviewing body for a school district, a county office of education, a regional occupation center or program, or a school-related joint powers authority located wholly within a single county. (This bill is similar to, but narrower than, SB 217.)

Status: Senate Elections Committee

SB 884 (Lowenthal) PRA: administrative actions I-02-23-07

This bill would, for purposes of lobbying provisions, amend the definition of “administrative action” and “agency official” and “lobbyist” as these terms relate to proceedings before the California Coastal Commission.

Status: Senate Elections Committee

SB 924 (Perata) PRA: penalty of perjury on statements I-02-23-07

This bill makes technical changes to the penalty-of-perjury provision of the Political Reform Act. It appears to be a “spot” bill.

Status: Senate Rules Committee

Bills Not Amending the Political Reform Act		
Bill # (Author)	Title	Date Introduced/Amended

AB 120 (Laird) 2007-08 Budget I-01-10-07

Assembly budget bill.

Status: Assembly Budget Committee

AB 397 (Adams) Local agencies: membership dues I-02-15-07

This bill would prohibit a local agency from paying membership dues to an organization that makes monetary contributions to a political campaign, including, but not limited to, a campaign for or against a statewide or local initiative.

Status: Introduced in Assembly

AB 889 (Lieu) Metro Green Line Construction Authority I-02-22-07

This bill creates the Metro Green Line Construction Authority which, among other things, must adopt an administrative code in accordance with the Political Reform Act.

Status: Introduced in Assembly

AB 933 (Jeffries) Exempt employee salaries I-02-22-07

This bill amends the exempt employee salary provisions that set the salaries for multiple agency and department heads, including the Chairperson of the Commission. The bill makes changes to other provisions; it does nothing to change the Commission Chairperson’s salary.

Status: Introduced in Assembly

AB 981 (Ma) **High Speed Rail Authority** **I-02-22-07**
This bill allows the existing High Speed Rail Authority to elect a one or more vice-chairpersons. Current law requires that the Political Reform Act apply to Authority members; that provision is not amended by this bill.
Status: Assembly Transportation Committee

HR 1 (De La Torre) **2007-08 Assembly Standing Rules** **A-12-04-06**
This House Resolution adopts the Rules of the Assembly for the 2007-08 Regular Session and includes, among other things, a reiteration of the rule in Government Code section 81012 which allows amendment of the Political Reform Act by 2/3 vote of each house, if the Commission received a copy of the bill in its final form at least 12 days prior to passage in each house.
Status: Adopted by Assembly²

SB 54 (Ducheny) **2007-08 Budget** **I-01-10-07**
Senate budget bill.
Status: Introduced in Senate

SB 771 (Kuehl) **Stem cell research standards, licensing** **I-02-23-07**
This bill amends the Health and Safety code relating to the Independent Citizen's Oversight Committee's (ICOC) standards for intellectual property agreements for research award funding.
Status: Senate Health Committee

SCR 1 (Scott) **2007-08 Senate and Assembly Joint Rules** **C-01-09-07**
This Senate Concurrent Resolution adopts the Joint Rules of the Senate and Assembly for the 2007-08 Regular Session and includes, among other things, a requirement that the author of any PRA bill notify the Assembly Chief Clerk or the Secretary of the Senate of the nature of the bill in order for the Assembly Chief Clerk or the Secretary of the Senate to deliver a copy of the bill to the Commission at least 12 days prior to passage in either house per Government Code section 81012.
Status: Adopted by Assembly and Senate, Chaptered (Res. Chapter 2, Statutes of 2007)

² Bills or resolutions shaded in grey have been chaptered or adopted.